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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,271	05/25/2001	Katsuyoshi Mase	14655	3629
23389	7590	11/29/2004	EXAMINER	
SCULLY SCOTT MURPHY & PRESSER, PC 400 GARDEN CITY PLAZA GARDEN CITY, NY 11530			ADAMS, JONATHAN R	
			ART UNIT	PAPER NUMBER
			2134	

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/865,271

Applicant(s)

MASE, KATSUYOSHI

Examiner

Jonathan R Adams

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)* | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1, 2, 6, 7, 11, 12, 14-23, 27, 28, 32 and 33 rejected under 35

U.S.C. 102(a) as being anticipated by Rakhi Motwani, "Introduction".

As to claim(s) 1, 6, 11, 14, 16, 18, 20, 22, 27, 32:

3. Motwani teaches a watermarking system using various watermarking parameters to watermark time-stamped images comprising:

- Digital watermark inserted/detected to digital data by circuit / Watermarking is the process of embedding/detecting/extracting data called a watermark into a multimedia object (Page 4, "What is watermarking", Motwani) using hardware circuitry (Page 9, Line 2, Motwani)
- Digital watermark of specified type / Any watermarking scheme used must have a watermark of a specified type. Examples taught by Motwani include Visible, Invisible, Perceptible, Imperceptible, Unobtrusive, Robust, and Universal (pages 5, 6, and 8, Motwani).

4. As to claim(s) 2, 7, 12, 15, 17, 19, 21, 23, 28, 33:
- Digital watermark insertion/detection/extraction corresponds to time stamp in visual data / Watermarks prevent a medium's timestamps from being altered (Page 94, line16, Motwani)

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 8, 13, 24, 29 and 34 rejected under 35 U.S.C. 103(a) as being unpatentable over Motwani in view of Levy, US Patent Pre-grant Pub No 20010054150 (hereafter referred to as '150).

As to claim(s) 3, 8, 13, 24, 29, 34:

6. Motwani teaches a watermarking system using various watermarking parameters to watermark time-stamped images. Motwani does not specifically teach to watermark video/audio files where video and audio are separated authenticated and synthesized for encoding/playback. '150 teaches separating and watermarking the audio and video portions of MPEG audio/video files for authenticated playback (Page 5, Paragraphs 0052 and 0059]. It would have been obvious to a person of ordinary skill in the art at the time of invention to combine the watermarking parameters and timestamps of Motwani with the separation/watermark/synthesis of audio/video in '150. One of

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ordinary skill in the art would have been motivated to combine the watermarking parameters and timestamps of Motwani with the separation/watermark/synthesis of audio/video in '150 because the combination would advantageously provide timestamps and the flexibility of choice between a variety of watermarking parameters with the MPEG audio/video watermarking system of '150.

7. Claims 4, 5, 9, 10, 25, 26, 30 and 31 rejected under 35 U.S.C. 103(a) as being unpatentable over Motwani in view of '150 in further view of Kono et al., Us Patent No 6628719 (hereafter referred to as '719).

8. Motwani as modified above teaches watermarking system using various watermarking parameters to watermark corresponding time-stamped MPEG audio/video. Motwani as modified above does not specifically teach for the watermarking system to automatically extract the visual timestamp data. '719 teaches an MPEG codec that automatically reads a timestamp data from an MPEG video file (Col 3, Lines 50-54, '719). It would have been obvious to a person of ordinary skill in the art at the time of invention to use the automatic timestamp extraction MPEG codec of '719 with the invention of Motwani as modified above. One of ordinary skill in the art would have been motivated to use the automatic timestamp extraction MPEG codec of '719 with the invention of Motwani as modified above because adding automatic timestamp extraction expands desired functionality to authentication of secure information.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan R Adams whose telephone number is (571)272-3832. The examiner can normally be reached on Monday – Friday from 10am to 6pm.

10. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached on (703) 308-4789. The fax phone number for the organization where this application or proceeding is assigned is (571)272-3838. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



GREGORY MORSE
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